

04-07-05

RCE/2141  
Zhu

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	<b>09/653,810</b>
	<i>Filing Date</i>	<b>September 1, 2000</b>
	<i>First Named Inventor</i>	<b>August, et al.</b>
	<i>Art Unit</i>	<b>2141</b>
	<i>Examiner</i>	<b>Le Hien Luu</b>
	<i>Attorney Docket No.</i>	<b>LUTZ 2 00034</b>

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted Applicants' Amendment B After Final, mailed on March 7, 2005. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_.
- ii. ☐ Other.
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references
- iv. ☒ Other Telephone Interview Summary

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **third-month extension of time** to respond to the outstanding Office Action.
- c. ☐ Other \_\_\_\_\_

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01 FC:1801  
02 FC:1253790.00 OP  
570.00 OP


3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)				
CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	17 - 20 =	0	x \$50	= \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =	0	x \$200	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	x \$360	= \$0.00
APPLICATION SIZE FEE (FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS)	0 GROUP(S)		x \$250	= \$0.00
BASIC RCE FEE (37 CFR 1.16(a))				\$790.00
TOTAL LARGE ENTITY FEE =				\$790.00
<p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 06-0308.</p> <p>i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e);</p> <p>ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17);</p> <p>iii. <input checked="" type="checkbox"/> If applicable, the Director is hereby authorized to charge the search fee and examination fee to Deposit Account No. 06-0308;</p> <p>iv. <input checked="" type="checkbox"/> Other <u>Please charge any additional fee and/or credit any overpayments to Deposit Account No. 06-0308.</u></p> <p>b. <input checked="" type="checkbox"/> Check in the amount of \$790.00 (large entity) enclosed.</p> <p>c. <input checked="" type="checkbox"/> Check in the amount of \$570.00 (large entity) to cover the applicable extension of time fees.</p>				

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP


April 6, 2005

Date

  
Joseph D. Dreher, Reg. No. 37,123  
Thomas T. Tillander, Reg. No. 47,334  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
216/861-5582

CERTIFICATE OF EXPRESS MAILING

I certify that this Request for Continued Examination Transmittal and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature
EV 494958151 US	
Date	Printed Name
April 6, 2005	Iris E Weber